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FMC Corporation
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In re Application of

THIELE, et al.

Application No.: 09/830,617

PCT No.: PCT/DE99/03474

Int. Filing Date: 02 November 1999

Priority Date: 03 November 1998

For: CIRCULAR METHOD FOR PICKLING
COPPER AND COPPER ALLOYS

DECISION ON PETITION

UNDER 37 CFR 1.181

This decision is in response to applicant's "Renewed Petition Under 37 CFR 1.181 to Withdraw a Holding of Abandonment" filed 29 April 2004.

BACKGROUND

On 08 April 2004, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.181. Applicant was afforded two months to file any request for reconsideration.

On 29 April 2004, applicant filed the present renewed petition.

DISCUSSION

Applicant has provided a legible copy of the receipt postcard which shows a USPTO date stamp, "JC20 Rec'd PCT/PTO 13 AUG 2001" and clearly identifies in part: "English Translation (30 pgs), Signed Dec/POA (4pgs.)" as well as listing the inventors, serial number and attorney docket number. The evidence is sufficient to establish that the combined declaration and power of attorney and English translation for this application was received in the USPTO on 13 August 2001. Applicant has certified that the copy of the English translation filed with the renewed petition is a true and complete copy of the papers originally filed on 13 August 2001. An examination of the application file reveals that all of the requirements of 35 U.S.C. 371 for entry into the national stage in the United States were satisfied on 13 August 2001. As such, it is proper to **GRANT** applicant's renewed petition at this time.

CONCLUSION

Applicant's renewed petition under 37 CFR 1.181 is **GRANTED**.

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The application will be given an international filing date of 02 November 1999 under 35 U.S.C. 363 and a date of **13 August 2001** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being returned to the United States Designated/Elected Office (US/DO/EO) for further processing in accordance with this decision, namely the issuance of a "Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495" (Form PCT/DO/EO/903) indicating a 371 date as detailed above.



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